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Remarks

Claims 1-22 are pending. Claims 1-22 are finally rejected. Claims 4 and 8 are objected to. The rejection was maintained in the Advisory Action dated September 12, 2006. Claims 1, 5, 11, and 15 are amended herein. Applicant respectfully traverses the rejection and requests allowance of claims 1-22.

Claims 4 and 8 are objected to under 37 CFR 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim.

Claims 4 and 8 are proper. Independent claims 1 and 5 disclose a vacuum port adapted to receive a vacuum hose. Dependent claims 4 and 8 disclose a vacuum port further adapted to receive a vacuum cleaner hose. A vacuum cleaner hose denotes the source of the vacuum and is therefore a subset of a vacuum hose. Claims 4 and 8 consequently provide further limitation to the vacuum hose. This limitation is not recited in claims 1 and 5. Applicant respectfully requests removal of the objection and allowance of claims 4 and 8.

Claims 1, 3-5, 7-11, 13-15 and 17-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Senné (U.S. Patent No. 2,960,714). Inasmuch as the rejection applies to the amended claims, Applicant respectfully traverses the rejection.

Independent claims 1, 5, 11 and 15, as amended, require a handle attached to and extending from the chassis. Independent claims 1, 5, 11 and 15, as amended, further require a vacuum port formed in the chassis and spaced apart from the handle. Advantageously, the claims may be implemented in some embodiments to allow the floor sweeper to be operated manually without a vacuum hose. In addition, the floor sweeper may be used as a vacuum cleaner when a vacuum hose is plugged into the vacuum port (see page 6, lines 23-27).

Senné does not disclose a vacuum port that is formed in the chassis and spaced apart from the handle. Senné does not teach or suggest a separate vacuum port that can be used or not used independently of a handle. In contrast, Senné shows a nozzle 10 having a chassis and includes a "rigid length 39" in a hose receiving socket 38 located in

the chassis (see fig. 1, #39). Senné discloses that the rigid length 39 provides a vacuum airflow and also must be used as a handle in order to be able to push the nozzle 10 (see fig. 1 #39, col. 3, lines 45-51, and col. 4, lines 12-13).

Independent claims 1, 5, 11 and 15 therefore include features that are not taught by Senné. Dependent claims 3-4, 7-10, 13-14 and 17-22 are allowable for the same reasons as claims 1, 5, 11 and 15.

Claims 1 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Lilly (U.S. Patent No. 2,642,617). Applicant respectfully traverses the rejection.

Lilly does not disclose a vacuum port that is formed in the chassis and spaced apart from the handle. Lilly does not teach or suggest a separate vacuum port that can be used or not used independently of a handle. In contrast, Lilly discloses a hollow, rigid handle 57 in the form of a tube. The handle 57 is used to push and pull the carpet sweeper of Lilly. The handle 57 connects to a fitting 56, and a vacuum tube 58 connects to the handle 57. Suction is maintained through the handle 57 (see fig. 1 #57, 58 and col. 4, lines 48-49). The handle 57 comprises an integral component of the carpet sweeper of Lilly and the carpet sweeper cannot be operated without the handle 57.

Independent claim 1 therefore includes features that are not taught by Lilly. Dependent claim 4 is allowable for the same reasons as claim 1.

Claims 2, 6, 12 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Senné as applied to claims 1 and 5 respectively, and in further view of Sovis et al. (U.S. Patent No. 5,247,720). The Office Action asserts that Sovis supplies a "removable cover" as in claims 2, 6, 12, and 16. This is incorrect.

Dependent claims 2, 6, 12 and 16 disclose a removable cover that blocks the vacuum port when placed in the closed position. Advantageously, the claims may be implemented in some embodiments to prevent debris from being propelled out of the floor sweeper when the vacuum hose is not in the vacuum port, *i.e.*, when the removable cover is in the closed position.

Webster's New Universal Unabridged Dictionary, deluxe second edition, Dorset & Baber 1979, defines "cover" as "to place something on, over, or in front of, so as to hide or protect; overlay with or as with a covering . . . ."

Sovis does not disclose a cover. In contrast, Sovis et al. discloses a vacuum cleaner equipped with a valve system 134 and 140 to transfer suction from a first air passageway to a second air passageway (see fig. 1, fig. 2, col. 5, line 68 and col. 6, lines 1-4). The valve of Sovis is positioned down in a conduit and merely blocks or unblocks the conduit (see fig. 2). The valve of Sovis is not removable. The valve of Sovis does not "cover" a port or opening. When a tubing is not in place in the conduit 130, debris and foreign objects can fall into the length of conduit 130 above the valve 134. The assertion in the Office Action that the valve of Sovis is somehow comparable to a cover is incorrect.

Claims 2, 6, 12 and 16 therefore include features that are not taught by the combination of Senné and Sovis.

In light of the foregoing amendments and remarks, the Applicant respectfully requests allowance of claims 1-22.

Please feel free to call me to discuss the patentability of the pending claims.

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